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Examining Group 1646
PATENT APPLICATION
Serial No. 09/676,380
Atty. Docket No. 99-057

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1646 :

In re application of :

ANDRE T. BARON, et al. :

**SOLUBLE EPIDERMAL GROWTH FACTOR
RECEPTOR-LIKE PROTEINS AND THEIR
USES IN CANCER DETECTION METHODS**

Serial No. 09/676,380 :

Filed September 29, 2000 :

Examiner: Janet L. Andres :

Pittsburgh, Pennsylvania
June 6, 2005

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

06/08/2005 MAHME1 00000034 09676380

01 FC:2453

750.00 0P

**REQUEST FOR RECONSIDERATION OF PETITION TO REVIVE AN
UNINTENTIONAL ABANDONMENT UNDER
37 C.F.R. § 1.137(b)**

On April 8, 2005, Applicant received a notice that its Petition to Revive an unintentional abandonment was dismissed because Applicant had not filed a reply as required under 37 CFR 1.137. After the Notice of Abandonment was received, Applicant/Petitioner had conversations with Examiner regarding its final amendment and why it had not been entered. Based on these conversations, in September 2004, the Applicant filed an Amendment which the Applicant believes, places the Application in a condition for allowance, i.e., Applicant believed and believes that its reply conforms with the foregoing requirements under 37 CFR 1.137. Applicant confirmed its understanding that the Amendment was conforming, i.e., it placed the Application in a condition for allowance, on May 23, 2005. In view of the foregoing, Applicant requests Reconsideration of its Petition to Revive.

Applicant attempted to contact the Office of Petitions on May 23, 2005 and June 2, 2005 to determine the basis for the Office's belief that the Amendment was non-conforming, but to date Applicant has not received a response to Applicant's voice mails. If the Office does not deem the foregoing to be persuasive, Applicant requests that the Office enter its Notice of Appeal for the foregoing case to allow the Examiner to consider the Amendment.

WHEREFORE, the Applicants respectfully request revival of the above-captioned Application, based on its conforming reply or, in the alternative, to its Notice of Appeal.

Respectfully submitted,

PARRISH LAW OFFICES

By



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Facsimile: 412-561-6253



CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Request for Reconsideration of Petition to Revive an Unintentional Abandonment under 37 C.F.R. § 1.137(b) (3 pages), Fee Transmittal for FY 2005, check for \$750.00, Postcard, and this Express Mail Mailing Certificate are being deposited, on the date indicated below, with the United States Postal Service, "Express Mail Post Office to Addressee Service", in an envelope addressed to:

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: ER757606370US

Date of Deposit: June 6, 2005

Diane L. Marshall
Print/Type Name of Person Mailing

Diane L. Marshall
Signature

JUN 06 2005

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)

FEE TRANSMITTAL
For FY 2005☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 750.00**Complete if Known**

Application Number	09/676,380
Filing Date	09/29/2000
First Named Inventor	Baron, A., et al.
Examiner Name	Andres, J.
Art Unit	1645
Attorney Docket No.	99-057

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 501317 Deposit Account Name: Debra M. Parrish, PC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee (\$)	Fee Paid (\$)
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3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

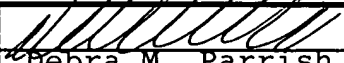
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)Other (e.g., late filing surcharge): Revive Unintentional Abandonment 750.00**SUBMITTED BY**

Signature		Registration No. 38,032	Telephone 412-561-6250
Name (Print/Type)	Debra M. Parrish	(Attorney/Agent)	Date 6-6-05

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.